

**SUBSTITUTED TRUSTEE'S DEED**

7/07/08 8:35:32  
BK 588 PG 399  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**Indexing Instructions:**

**Lot 291, Section G, Deer Creek Subdivision, Section 6, Township 3 South, Range 7 West,  
DeSoto County, Mississippi.**

**STATE OF MISSISSIPPI  
COUNTY OF DESOTO**

WHEREAS, on the 8<sup>th</sup> day of December, 2006, Eagle Homes, LLC executed and delivered a certain Deed of Trust unto Community Bank, N.A. which Deed of Trust is on file and of record in the office of the chancery Clerk of Desoto County, Mississippi, in the Deed of Trust Records Book 2626, Page 163, thereof; and

WHEREAS, on June 4, 2008, the Holder of said Deed of Trust Substituted and appointed David F. Delgado, as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2906, Page 624; and

WHEREAS, default having been made in the payments of said indebtedness secured by the said Deed of Trust, and the hold of said Deed of Trust, having requested the sale for the purpose of paying said indebtedness or as much thereof as said brings; and

WHEREAS, I, David F. Delgado, Substituted Trustee, advertised the sale of the following described real property by Substituted Trustee's Notice of Sale, dated June 4, 2008, by posting same a the bulletin board on the first floor in the middle of the building between the front and back door of the courthouse in Desoto County and by publishing said Notice in The DeSoto Times Today for three (3) consecutive weeks, proof of publication being attached hereto as Exhibit "A", and incorporated herein by reference, which notice stated that the sale would be held on the 26<sup>th</sup> day of June, 2008, between the legal hours of 11 o'clock A.M. and 4 o'clock P.M., at public outcry, to the highest bidder for cash at the East front door at the Courthouse located at 2535 Hwy. 51 South at Hernando, Mississippi; and

WHEREAS, I, David F. Delgado, Substituted Trustee, did on the 26<sup>th</sup> day of June, 2008, within legal hours, offer for sale and did sell, to the highest bidder for cash at the East front door at the Courthouse located at 2535 Hwy. 51 South at Hernando, Mississippi the following described real property.

Lot 291, Section G, Deer Creek Subdivision, situated in Section 6, Township 3 South, Range 7 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 95, Pages 8-9, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

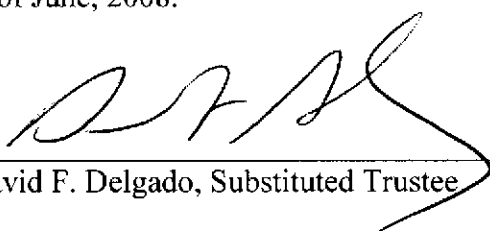
WHEREAS, at said sale Mary Katherine Thorne and Jonathan E. Thorne was the highest bidder and best bidder, therefore for the sum of \$161,014.68 and the same was then and there struck off to Mary Katherine Thorne and Jonathan E. Thorne and it was declared the purchaser thereof; and

WHEREAS, everything necessary to be done to have a good and lawful sale was done in accordance with law and the terms of the Deed of Trust; and

NOW THEREFORE, in consideration of the full payment of the purchase price, I the undersigned Substituted Trustee, do hereby sell and convey to Mary Katherine Thorne and Jonathan E. Thorne as tenants by the entirety with full right of survivorship and not as tenants in common, the land and property herein described.

I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE this the 30<sup>th</sup> day of June, 2008.

  
David F. Delgado, Substituted Trustee

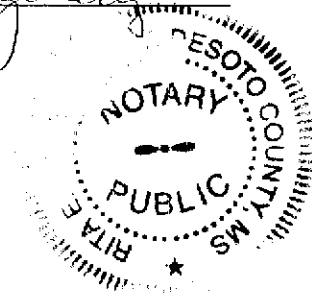
*Delgado*

**STATE OF MISSISSIPPI  
COUNTY OF DESOTO**

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for said jurisdiction, on this the 30<sup>th</sup> day of June 2008, the within named David F. Delgado, Substituted Trustee, who acknowledge that he executed the above and foregoing instrument of writing, after first having been duly authorized so to do as Substituted Trustee.

*Rita E. Montgomery*  
Notary Public

My Commission Expires: 7-28-09



Address of Grantor:

David F. Delgado  
5779 Getwell Rd., Bldg. D, Suite 5  
Southaven, MS 38672  
Business Phone: 662-536-2120

Address of Grantee:

768 Running Doe Cove  
Hernando, MS 38632  
Residence Phone: 901-606-5249  
Business Phone: N/A

***Prepared by & Return to:***  
***David F. Delgado, Attorney***  
***DELGADO LAW FIRM, PLLC***  
***5779 Getwell Road, Bldg. D, Suite 5***  
***Southaven, MS 38672***  
***662-536-2120***

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

**SUBSTITUTED TRUSTEE'S  
NOTICE OF SALE**

WHEREAS, on December 8, 2006, Eagle Homes, LLC, executed a Deed of Trust to Simon F. Weir, II, Trustee for the use and benefit of Community Bank, N.A., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in the Deed of Trust Records Book 2626 at Page 163, thereof; and WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted David F. Delgado, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2906 at Page 624 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, David F. Delgado, Substituted Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the east front door of the DeSoto County Courthouse in Hernando, DeSoto County, Mississippi, on the 26th day of June, 2008, the following described land and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to-wit:

Lot 291, Section G, Deer Creek Subdivision, situated in Section 8, Township 3 South, Range 7 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 95, Pages 8-9, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

WITNESS my signature, on this the 4th day of June, 2008.

/s/ David F. Delgado

David F. Delgado

Substituted Trustee

Prepared by:

David F. Delgado

Delgado Law Firm, PLLC

5779 Getwell Rd., Bldg. D, Ste. 5

Southaven, Mississippi 38672

662-536-2120 (voice)

662-536-2195 (facsimile)

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Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2008

Diane Smith

Sworn to and subscribed before me, this 19 day of June, 2008

BY Judy A. Donaghy

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2009  
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